

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN AT DETROIT

In Re:

Frances Burnett Hargrow

Case No. 21-47756-lsg

Chapter 7

Hon. Lisa S. Gretchko

Debtor,

STIPULATION TO TERMINATE AUTOMATIC STAY
AS TO CREDITOR CARVANA LLC AND WAIVING THE FOURTEEN-DAY STAY
PURSUANT TO RULE 4001(A)(3)

NOW COMES, Debtor, Frances Burnett Hargrow. Chapter 7 Trustee, and Creditor, CARVANA LLC, with respect to Creditor's Stipulation for Relief from the Automatic Stay and Entry of Order Waiving the Provision of 4001(a)(3) as to the 2013 Nissan Rogue S, and the parties having agreed to the Stipulation for Relief from the Automatic Stay and Entry of Order Waiving the Provision of 4001(a)(3) as evidenced by the Order attached as exhibit A."

1. That Debtors, Frances Burnett Hargrow, filed their Petition for Relief under the provisions of Chapter 7 of the United States Bankruptcy Code on September 29, 2021.

2. Creditor, CARVANA LLC is the holder of a Retail Installment Contract which is secured by a security interest in the following:

2013 NISSAN ROGUE S, VIN# JN8AS5MV9DW132084

3. The current balance due and owing by the secured by the above-described collateral is \$10,475.00.

4. Upon information and Belief, the approximate value of the above-referenced vehicle is \$11,277.89. Subsequently, the Debtor has no equity in the collateral.

5. Upon reasonable investigation by Creditor, no other party has an interest in the collateral described above.

6. That the parties stipulate to terminate the automatic stay as to the collateral described above.

immediately upon and entry and that the fourteen-day stay pursuant to Rule 4001(a)(3) prior to enforcement of the order requested herein be waived.

WHEREFORE, Debtor, Nicole L Kemp and Creditor, CARVANA LLC, pray this honorable Court enter an Order terminating the automatic stay to allow Debtor to surrender the above-described collateral to Creditor, CARVANA LLC and to allow Creditor to enforce its rights in the property described as a 2013 NISSAN ROGUE S, VIN# JN8AS5MV9DW132084. Enforcement shall be consistent with Creditor's note(s) and security agreement(s)/ mortgage(s)/ lease(s) and in accordance with federal and state law.

Respectfully submitted,

Gregory L. Dodd with consent

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Douglas S. Ellmann with consent

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EXHIBIT A- PROPOSED ORDER

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN AT DETROIT

In Re:

Frances Burnett Hargrow

Case No. 21-47756-lsg
Chapter 7
Hon. Lisa S. Gretchko

Debtor,

_____ /

ORDER GRANTING RELIEF FROM STAY
AS TO CREDITOR CARVANA LLC ONLY AND WAIVING THE FOURTEEN-
DAY STAY PURSUANT TO RULE 4001(A)(3)

Upon the stipulation of the Debtor, Frances Burnett Hargrow. Chapter 7 Trustee, and Creditor, CARVANA LLC and the parties stipulating to Relief from the Automatic Stay and Entry of Order Waiving the Provision of 4001(a)(3) as to the 2013 Nissan Rogue S, the parties having filed with the Court a Stipulation for Relief from the Automatic Stay and Entry of Order Waiving the Provision of 4001(a)(3) as to the 2013 Nissan Rogue S (filed and served _____ at ECF Number _____), and the Court being advised in the premises; and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that the automatic stay shall be lifted as to the Creditor, CARVANA LLC and to allow Creditor to enforce its rights in the property described in its stipulation as a 2013 NISSAN ROGUE S, VIN# JN8AS5MV9DW132084. Enforcement shall be consistent with Creditor's note(s) and security agreement(s)/ mortgage(s)/ lease(s) and in accordance with federal and state law.

IT IS FURTHER ORDERED that this Order shall remain valid notwithstanding conversion of this case to any other chapter under the Bankruptcy Code.

IT IS FURTHER ORDERED that the entry of this order shall be effective immediately upon and entry and that the fourteen-day stay pursuant to Rule 4001(a)(3) prior to enforcement of the order requested herein be waived.